

IFW \$

PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/687,986
Filing Date	October 17, 2003
First Named Inventor	Nancy J. Britten, et al.
Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket Number	00661.US1

Total Number of Pages in This Submission

ENCLOSURES (Check all that apply)

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance communication to Group |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | A return-receipt postcard is enclosed. Form 1449 |
| <input checked="" type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application | Remarks | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Pharmacia & Upjohn Company Timothy J. Gumbleton, Reg. No. 54,143
Signature	<i>Timothy Gumbleton</i>
Date	<i>September 10, 2004</i>

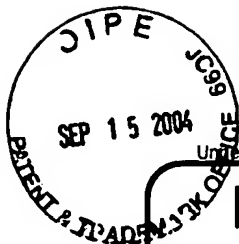
CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Valerie L. Schipper		
Signature	<i>Valerie L. Schipper</i>	Date	<i>Sept. 13, 2004</i>

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)**180.00**

Complete if Known

Application Number	10/687,986
Filing Date	October 17, 2003
First Named Inventor	Nancy J. Britten, et al.
Examiner Name	Not Yet Assigned
Art Unit	Not Yet Assigned
Attorney Docket No.	00661.US1

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit
Account
Number
Deposit
Account
Name

21-0718

Pharmacia & Upjohn Company

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☐ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$) 0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	X	\$0.00
Independent Claims	-3** =	X	\$0.00
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)**0.00**

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	180.00
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**180.00**

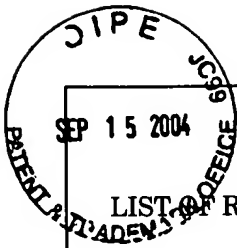
SUBMITTED BY

Name (Print/Type)	Timothy J. Gumbleton	Registration No. (Attorney/Agent)	54,143	Telephone	(269) 833-2501
Signature	<i>Timothy J. Gumbleton</i>	Date	September 10, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

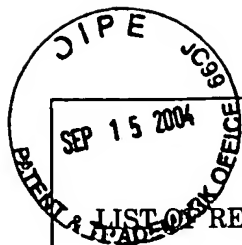
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



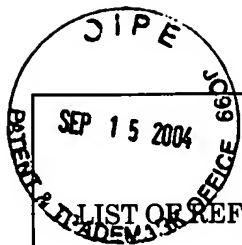
LIST OF REFERENCES CITED BY APPLICANT <i>(Use several sheets if necessary)</i>				Atty. Docket No. 00661.US1		Serial No. 10/687,986			
				Applicant Britten, et al.					
				Filing Date 10-17-03		Group Not Yet Assigned			
U.S. PATENT DOCUMENTS									
Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate		
	AA	3,135,658	June 2, 1964	Edward J. Hanus and Philip A. Ouellette	167	53.2			
	AB	3,144,386	Aug. 11, 1964	George E. Brightenback	167	53			
	AC	3,347,743	Oct. 17, 1967	Gerald L. Reuter and George N. Hill	167	53.2			
	AD	3,531,481	Sep. 29, 1970	Ralph R. Pfeiffer	260	243			
	AE	3,636,194	Jan. 18, 1972	Douglas G. Parizeau	424	115			
	AF	4,006,138	Feb. 1, 1977	Kuo S. Yang	260	243			
	AG	4,011,312	March 8, 1977	Gerald L. Reuter and Andrew G. Tsuk	424	78			
	AH	4,073,920	Feb. 14, 1978	John Sidney Dowrick	424	271			
	AI	4,104,470	Aug. 1, 1978	Michael D. Cise and Harold E. Osborne	544	27			
	AJ	4,172,138	Oct. 23, 1979	Russell E. Rhodes	424	271			
	AK	4,298,732	Nov. 3, 1981	Harry C. Stables	544	20			
	AL	4,318,852	March 9, 1982	Herwarth Heitman, et al.	260	239.1			
	AM	4,388,307	June 14, 1983	Thomas Cavanak	424	177			
	AN	4,400,503	Aug. 23, 1983	Kuo S. Yang	544	28			
	AO	4,442,101	April 10, 1984	Hitoshi Ichihashi, et al.	424	250			
	AP	4,464,367	Aug. 7, 1984	Bernard Labeeuw and Ali Salhi	424	246			
	AQ	4,474,780	Oct. 2, 1984	Byron W. Daugherty	424	246			
	AR	4,504,657	March 12, 1985	Daniel Bouzard, et al.	544	30			
	AS	4,555,404	Nov. 26, 1985	Ken Nishihata, et al.	514	201			
	AT	4,616,080	Oct. 7, 1986	Ta-Sen Chou and Robert E. Lakin	540	225			
	AU	4,624,948	Nov. 25, 1986	Walter Dürckheimer	514	206			
	AV	4,692,519	Sept. 8, 1987	Kenzo Naito, et al.	540	227			
	AW	4,812,561	March 14, 1989	Yoshio Hamashima, et al.	540	222			
	AX	4,820,833	April 11, 1989	Harold A. Crisp, et al.	540	220			



LIST OF REFERENCES CITED BY APPLICANT (Use several sheets if necessary)				Atty. Docket No. 00661.US1		Serial No. 10/687,986			
				Applicant Britten, et al.					
				Filing Date 10-17-03		Group Not Yet Assigned			
	AY	4,877,782	Oct. 31, 1989	Alexander R. Cazars and K. Thomas Koshy	514	186			
	AZ	4,898,938	Feb. 6, 1990	Leonardo Marsili	540	230			
	BA	4,902,683	Feb. 20, 1990	Mahendra I. Amin and Jay A. Campbell	514	206			
	BB	4,912,211	March 27, 1990	Giovanni Bonfanti	540	222			
	BC	4,912,212	March 27, 1990	Michihiko Ochiai, et al.	540	227			
	BD	4,933,443	June 12, 1990	Yoshio Hamashima, et al.	540	222			
	BE	4,937,330	June 26, 1990	Clifford E. Sacks and Loren H. Dill	540	227			
	BF	4,973,684	Nov. 27, 1990	Michihiko Ochiai, et al.	540	222			
	BG	5,017,380	May 21, 1991	Yoshio Hamashima, et al.	424	454			
	BH	5,064,815	Nov. 12, 1991	Peter Szentmiklósi, et al.	514	31			
	BI	5,079,007	Jan. 7, 1992	Michael L. Putnam	424	422			
	BJ	5,103,012	April 7, 1992	Rene Heymes and André Lutz	548	194			
	BK	5,143,137	Sept. 1, 1992	Floyd D. West	160	199			
	BL	5,314,685	May 24, 1994	Praveen Tyle and Kenneth R. Freebern	424	401			
	BM	5,342,612	Aug. 30, 1994	Michael J. Daley, et al.	424	85.1			
	BN	5,614,491	March 25, 1997	Hatto Walch, et al.	514	11			
	BO	5,721,359	Feb. 24, 1998	Michael J. Dunn, et al.	540	227			
	BP	5,736,151	April 7, 1998	Todd P. Foster and David L. Kiefer	424	423			
	BQ	6,054,136	April 25, 2000	Nabil Farah and Joël Denis	424	400			
	BR	6,395,746 B1	May 28, 2002	Gerald Cagle, et al.	514	300			
	BS	6,440,964 B1	Aug. 27, 2002	Gerald Cagle, et al.	514	230.05			
	BT	6,509,327 B1	Jan. 21, 2003	Gerald Cagle, et al.	514	171			
	BU	2002/0142999 A1	Oct. 3, 2002	Gerald Cagle, et al.	514	171			
FOREIGN PATENT DOCUMENTS									
		Document Number	Date	Country	Class	Subclass	Translation		
							Yes No		



LIST OF REFERENCES CITED BY APPLICANT (Use several sheets if necessary)				Atty. Docket No. 00661.US1		Serial No. 10/687,986		
				Applicant Britten, et al.				
				Filing Date 10-17-03		Group Not Yet Assigned		
	BV	670,254	Sept. 10, 1963	Canada	167	186	X	
	BW	2,018,794	May 16, 2000	Canada	C07D	501/34	X	
	BX	EP 0 058 015 A2	Aug. 18, 1982	Europe	A61K	31/495	X	
	BY	EP 0 222 712 B1	June 6, 1990	Europe	A61K	47/00	X	
	BZ	EP 0 265 044 B1	Jan. 8, 1992	Europe	H03F	3/45	X	
	CA	EP 0 271 306 B2	June 15, 1988	Europe	A61K	9/06	X	
	CB	EP 0278 656 B1	June 3, 1992	Europe	C07D	501/46	X	
	CC	EP 0 356 325 B1	May 4, 1994	Europe	A61K	47/00		X
	CD	EP 0 592 348 B1	April 13, 1994	Europe	A61K	38/04	X	
	CE	EP 0 797 988 A3	Oct. 1, 1997	Europe	A61K	9/16	X	
	CF	EP 0 982 035 A1	March 1, 2000	Europe	A61K	38/13	X	
	CG	EP 1 004 294 A1	May 31, 2000	Europe	A61K	9/02	X	
	CH	980,282	Jan. 13, 1965	Great Britain	A61K		X	
	CI	1,089,523	Nov. 1, 1967	Great Britain	A61K	3/56	X	
	CJ	1,181,527	Feb. 18, 1970	Great Britain	A61K	27/00	X	
	CK	1,456,349	Nov. 24, 1976	Great Britain	A61K	9/00	X	
	CL	1,589,917	May 20, 1981	Great Britain	A61K	31/42	X	
	CM	2,273,441	June 22, 1994	Great Britain	A61K	9/00	X	
	CN	2,273,443	June 22, 1994	Great Britain	A61K	9/00	X	
	CO	2,273,655	June 29, 1994	Great Britain	A61K	9/10	X	
	CP	WO 87/03876	July 2, 1987	PCT	C07D	501/34	X	
	CQ	WO 88/01504	March 10, 1988	PCT	A61K	9/22	X	
	CR	WO 95/31180	Nov. 23, 1995	PCT	A61K	9/00	X	
	CS	WO 96/06598	March 7, 1996	PCT	A61K	9/08	X	



LIST OF REFERENCES CITED BY APPLICANT (Use several sheets if necessary)				Atty. Docket No. 00661.US1		Serial No. 10/687,986				
				Applicant Britten, et al.						
				Filing Date 10-17-03		Group Not Yet Assigned				
	CT	WO 99/56727	Nov. 11, 1999	PCT	A61K	9/107	X			
	CU	WO 99/61025	Dec. 2, 1999	PCT	A61K	31/47	X			
	CV	WO 00/48571	Aug. 24, 2000	PCT	A61K	9/107	X			
	CW	WO 01/89495 A2	Nov. 29, 2001	PCT	A61K	31/00	X			
	CX	WO 01/89496 A2	Nov. 29, 2001	PCT	A61K	31/00	X			
OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)										
	CY	Chemical Abstracts, Vol. 84, 184895j, Page 308 (1976).								
	CZ	Chemical Abstracts, Vol. 97, 38761q, Page 556 (1982).								
	DA	Chemical Abstracts, Vol. 110, 212490z, Page 719 (1989).								
	DB	Gao, Zhi-Hui, Atul J. Shukla, James R. Johnson, and William R. Crowley, "Controlled Release of a Contraceptive Steroid from Biodegradable and Injectable Gel Formulations: In Vitro Evaluation", Pharmaceutical Research, Vol. 12, No. 6, Pages 857-863, (1995).								
	DC	Gao, Zhi-Hui, William R. Crowley, Atul J. Shukla, James R. Johnson, and James F. Reger, "Controlled Release of Contraceptive Steroids from Biodegradable and Injectable Gel Formulations: In Vivo Evaluation", Pharmaceutical Research, Vol. 12, No. 6, Pages 864-868, (1995).								
	DD	National Formulary, 19 th ed. (NF 19), pp. 2536-2537 (Microcrystalline)								
	DE	Notice OL 0050/5 th edition								
Examiner				Date Considered						